

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

JAMES EDWARD MEIER

§

VS.

§

CIVIL ACTION NO. 1:03cv1483

OWEN MURRAY, ET AL

§

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff James Edward Meier, an inmate confined at the Stiles Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed the above-styled civil rights lawsuit. The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable orders of this court and 28 U.S.C. § 636.

Defendant Murray has filed a motion asking that the claim against him be dismissed. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending that the motion be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion the objections are without merit. Plaintiff's allegations that defendant Murray was deliberately indifferent to his serious medical needs fail to state a claim upon which relief may be granted.

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. Defendant Murray's motion to dismiss is **GRANTED**. Defendant Murray is

hereby **DISMISSED** from this lawsuit.

So **ORDERED** and **SIGNED** this **21** day of **March, 2007**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge